PTO/SB/30 (8/2000) Approved for use through 10/31/2002 OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE ion Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number Application Number 09/763.983 REQUEST **FOR** Filing Date February 28, 2001 **CONTINUED EXAMINATION (RCE)** First Named Inventor Thomas Gilchrist **TRANSMITTAL** Group Art Unit 1617 Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, Lauren Q. Wells Examiner Name provides for continued examination of a utility or plant application 8830-125 Attorney Docket Number filed on or after June 8, 1995, See the American Investors Protection Act of 1999 (AIPA)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE Practice.

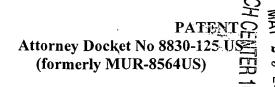
1.						
	a.		Pre	viously submitted		
		i.		Consider the amendment(s)/reply under 37 C.F.R.	§1.116 previously filed on.	
	ii.   Consider the arguments in the Appeal Brief or Reply Brief previously filed on					
		iii.		Other		
	b.	X	End	closed	•	
		i.	$\times$	Amendment/Reply	05/28/2003 DTESSEM1 00000144 09763983	
		ii.		Affidavit(s)/Declaration(s)	01 FC:1801 750.00 OP	
		iii.		Information Disclosure Statement (IDS)		
		iv.		Other		
2. <u>Miscellaneous</u>						
	a.		Sus	pension of action on the above-identified application	on is requested under 37 C.F.R. § 1.103(c) for a period of	
				nths (Period of suspension shall not exceed 3 month	ns; Fee under 37 C.F.R. § 1.17(i) required)	
	b.	Oth				
3.	<u>Fee</u>	_	The	e RCE fee under 37 C.F.R. § 1.17(e) is required by	37 C.F.R. § 1.114 when the RCE is filed.	
		i.		RCE fee required under 37 C.F.R. § 1.17(e).	.*	
		ii.		Extension of time fee (37 C.F.R. §§ 1.136 and 1.17	7) for third month extension.	
		iii.		Other		
	a.		The	e Director is hereby authorized to charge the indicate	red fees to Deposit Account	
			No			
	b.			hecks in the amount of: \$750.00	are enclosed to cover the indicated fees.	
	c.			ment by credit card (Form PTO-2038 enclosed)		
	d.	X	Ple	ase charge any additional fees, or credit any overpay	yment, to Deposit Account No. <u>50-0573</u> .	
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED						
Name (Print/Type) Daniel A. Monaco				Daniel A. Monaco	Registration No. (Attorney/Agent) 30,840	
Sig	natu	re			Date 5 23-03	
CERTIFICATE OF MAILING OR TRANSMISSION						
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class						
mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450						
Name (Print/Type) Jackie William)						
					Date 5/23/03	
Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the						

amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for

Patents, Box RCE, Washington, DC 20231.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gilchrist et al

Serial No: 09/763,983

: February 28, 2001

Filed

: FOAMABLE FORMULATION AND FOAM

Examiner: Wells, Lauren

Art Unit: 1617

## AMENDMENT ACCOMPANYING REQUEST FOR **CONTINUED EXAMINATION**

Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SIR:

For

In response to the Office Action dated February 26, 2003 we hereby file the accompanying amendments.

Kindly amend the claims of the above-identified patent application, without prejudice as

## CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date indicated below, with sufficient postage, as first class mail, in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

DATE: